

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI**

JOSEPH MOORE, on behalf of himself and all
other similarly situated persons,

Plaintiffs,

v.

WILSON LOGISTICS, INC.,

Defendant.

Case No. 21-03212-CV-S-BP

JOINT STATUS REPORT

Plaintiff Joseph Moore, individually and on behalf of all others similarly situated, and Defendant Wilson Logistics, Inc. respectfully submit this Report regarding the status of notice to the class.

1. The Court issued its order on class and conditional FLSA certification on November 14, 2022, and ordered the parties to “meet and confer on a mechanism for giving notice to these two classes,” to be filed within thirty days. ECF Doc. 56 at 13.

2. The parties filed a Joint Motion for the Court to Approve Notices to Class and Collective Members and Procedure for Providing Notice on December 22, 2022. ECF Doc. 61.

3. After a telephone conference regarding the content of the notices and a supplement joint submission of an amended class notice (ECF Doc. 64), the Court granted the parties’ motion on January 20, 2023. ECF Doc. 65.

4. The parties’ motion provided that Defendant would produce the class and collective lists within fourteen days of the Court’s order granting the motion, i.e., by February 3, 2023.

5. The parties have been conferring on the lists, and Defendant and its counsel have been working diligently to produce the lists. However, delays have arisen due to data being stored

in multiple locations and multiple formats and Defendant's sale of its operations in Missoula, Montana. Accordingly, Defendant was not able to complete and produce the class list until March 9, 2023.

6. Class counsel anticipates that notice to the class will be sent within 21 to 30 days from today's date.

7. Due the delay in compiling and producing the class list, the parties stipulate that the statute of limitations for the FLSA collective action will be tolled from February 3, 2023, until March 9, 2023.

8. The parties note that the above tolling is in addition to the fifteen days of tolling to which the parties agreed in connection with Defendant's motion for an extension of time to oppose Plaintiffs' motion for class and conditional certification. ECF Doc. 40, ¶ 6.

9. Tolling of the FLSA statute of limitations is in the interests of justice and will serve to protect the rights of the members of the FLSA collective.

Respectfully submitted,

/s/ Hillary Schwab

Hillary Schwab (admitted pro hac vice)

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ATTORNEYS FOR DEFENDANT

Dated: March 10, 2023

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this the 10th day of March, 2023, I electronically filed the above and foregoing document via the Court's CM/ECF system, which will send notification of said filing to all counsel of record.

/s/ Hillary Schwab
Hillary Schwab